

House Bill 182

By: Representatives Weldon of the 3rd, Atwood of the 179th, Welch of the 110th, Allison of the 8th, Dutton of the 157th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia
2 Annotated, relating to juvenile court administration, so as to delete provisions relative to a
3 rehearing on the order of an associate juvenile court judge; to provide for the appointment
4 of a judge pro tempore; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 2 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated,
9 relating to juvenile court administration, is amended by revising Code Section 15-11-21,
10 relating to associate juvenile court judges, appointment and compensation, qualifications,
11 conduct of hearings, and rehearing, as follows:

12 "15-11-21.

13 (a) The judge may appoint one or more persons to serve as an associate juvenile court
14 judge in juvenile matters on a full-time or part-time basis. The associate juvenile court
15 judge shall serve at the pleasure of the judge, and his or her salary shall be fixed by the
16 judge with the approval of the governing authority or governing authorities of the county
17 or counties for which the associate juvenile court judge is appointed. The salary of each
18 associate juvenile court judge shall be paid from county funds.

19 (b) Each associate juvenile court judge shall have the same qualifications as required for
20 a judge of the juvenile court as provided in subsection (e) of Code Section 15-11-18;
21 provided, however, that any person serving as an associate juvenile court judge on July 1,
22 2007, shall be qualified for appointment thereafter to serve as an associate juvenile court
23 judge.

24 (c) In any case or class of cases involving alleged delinquent, unruly, or deprived children,
25 the judge shall determine whether such case shall be conducted by the judge or by the
26 associate juvenile court judge in the manner provided by this article.

(d) Upon the conclusion of a hearing before an associate juvenile court judge, the associate juvenile court judge shall sign and file an order of the court which sets forth the decision made by the associate juvenile court judge. A copy of the order shall be given to the parties to the proceedings.

~~(e) A rehearing may be ordered by the judge at any time and, except for detention hearings or probable cause hearings, shall be ordered if a party files a written request therefor within five days after receiving a copy of the order of the associate juvenile court judge."~~

SECTION 2.

Said part is further amended by revising Code Section 15-11-23, relating to appointment of judge pro tempore, authority, and emolument, as follows:

"15-11-23.

In the event of the disqualification, illness, or absence of the judge of the juvenile court, the judge of the juvenile court may appoint any attorney at law resident in the judicial circuit in which the court lies, any judge or senior judge of the superior courts, ~~or any duly appointed juvenile court judge, or any duly appointed associate juvenile court judge~~ to serve as judge pro tempore of the juvenile court. In the event the judge of the juvenile court is absent or unable to make such appointment, the judge of the superior court of that county may so appoint. The person so appointed shall have the authority to preside in the stead of the disqualified, ill, or absent judge and shall be paid from the county treasury such emolument as the appointing judge shall prescribe; provided, however, that the emolument shall not exceed the compensation received by the regular juvenile court judge for such services."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.